



November 12, 2008

Mr. John McKenzie
County Planning & Building Dept
976 Osos Street, Room 300
San Luis Obispo CA 93408

SUBJECT: APCD Comments Regarding the Topaz Solar Farm (Optisolar)
Conditional Use Permit Environmental Impact Report. (DRC2008-00009)

Dear Mr. McKenzie,

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the proposed Topaz Solar Farm located approximately 1.5 miles north of Highway 58 along Bitterwater Road in the California Valley area. The applicant is proposing to construct and operate a 550 Megawatt solar photovoltaic energy generating facility. The project will be located on previously disturbed area- consisting of a 6,200 acre site on private land in the California Valley.

The following are APCD comments that are pertinent to this project.

GENERAL COMMENTS

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

CONSTRUCTION PHASE MITIGATION

There is not enough information provided to indicate the construction phase impacts from this project. However, due to the total acreage and grading requirements, we believe the construction phase emissions will likely exceed the APCD significance threshold values of 185 lbs of emissions per day and 2.5 tons of emissions per quarter. The measures below will reduce the emissions, however, the APCD requests the applicant calculate the emissions associated with the construction activity and provide those calculations to the APCD for review and approval. In order to reduce emissions to a level below the construction phase threshold, the applicant should consider the use of newer construction equipment, alternatively-fueled equipment, use of diesel particulate filters, and further phasing the construction activity. The Construction Activity Management Plan referenced below should have a detailed explanation of the construction emissions.

Developmental Burning

Effective February 25, 2000, **the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.** Under certain circumstances where no technically feasible alternatives are available, limited developmental burning

under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, APCD approval, and issuance of a burn permit by the APCD and the local fire department authority. The applicant is required to furnish the APCD with the study of technical feasibility (which includes costs and other constraints) at the time of application. If you have any questions regarding these requirements, contact the APCD Enforcement Division at 781-5912.

Dust Control Measures

Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the APCD's 402 "Nuisance" Rule. Any project with a grading area greater than 4.0 acres exceeds the APCD's PM10 quarterly threshold.

This project exceeds this threshold and is near potentially sensitive receptors and shall be conditioned to comply with all applicable Air Pollution Control District regulations pertaining to the control of fugitive dust (PM10) as contained in section 6.5 of the Air Quality Handbook. All site grading and demolition plans noted shall list the following regulations:

- a. Reduce the amount of the disturbed area where possible,
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible,
- c. All dirt stock pile areas should be sprayed daily as needed,
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities,
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating native grass seed and watered until vegetation is established,
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD,
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used,
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site,
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114,
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site, and
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

All PM10 mitigation measures required should be shown on grading and building plans. In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. **The name and telephone number of such persons shall be provided to the APCD prior to land use clearance for map recordation and finished grading of the area.**

Construction Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 horsepower (hp) or greater, used during construction activities will require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50 hp or greater;
- IC engines;
- Unconfined abrasive blasting operations;
- Concrete batch plants;
- Rock and pavement crushing;
- Tub grinders; and
- Trommel screens.

To minimize potential delays, prior to the start of the project, please contact the APCD Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

Construction Activity Management Plan

Develop a comprehensive Construction Activity Management Plan designed to minimize the amount of large construction equipment operating during any given time period. The plan should be submitted to the District for review and approval prior to the issuance of the County grading permit and start of construction. The plans should include but not be limited to the following elements:

- A Dust Control Management Plan that encompasses all, but is not limited to, dust control measures that were listed above in the "dust control measures" section;
- Tabulation of construction equipment (age, horse-power and hours of operation);
- Schedule construction truck trips during non-peak hours to reduce peak hour emissions;
- Limit the length of the construction work-day period, if necessary; and,
- Phase construction activities, if appropriate.

OPERATIONAL PHASE MITIGATION

Operational Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Operational sources may require APCD permits. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generator;
- Metal industries, fabrication;
- Small scale manufacturing;
- Fuel dealers;
- Public utility facilities;
- IC Engines;
- Cogeneration facilities;
- Concrete batch plants;
- Rock and pavement crushing;
- Tub grinders; and
- Trommel screens.

To minimize potential delays, prior to the start of the project, please contact the APCD Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at 781-5912.

Sincerely,



Meghan Field

MDF/aag/arr

cc:

Wayne Hoffman, OptiSolar
Karen Brooks, Enforcement Division, APCD
Gary Willey, Engineering Division, APCD

Attachments:

1. Guidelines for the Development of a Construction Activity Management Plan